

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY COPLEY,
 Plaintiff,

v.

THE STATE OF NEVADA et al.,
 Defendants.

2:15-cv-00702-RFB-CWH

ORDER

This action is a pro se civil rights complaint filed under 42 U.S.C. § 1983 by a state prisoner. Plaintiff has submitted an application to proceed *in forma pauperis*. (ECF No. 1). Based on the financial information provided, the Court finds that Plaintiff is unable to prepay the full filing fee in this matter.

The Court entered a screening order on December 9, 2015. (ECF No. 3). The screening order imposed a 90-day stay and the Court entered a subsequent order in which the parties were assigned to mediation by a court-appointed mediator. (ECF No. 3, 6). The Office of the Attorney General has filed a status report indicating that settlement has not been reached and informing the Court of its intent to proceed with this action. (ECF No. 9).

For the foregoing reasons, IT IS ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is GRANTED. Plaintiff will not be required to pay an initial installment of the filing fee. In the event that this action is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).

2. Plaintiff is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor. This order

1 granting leave to proceed *in forma pauperis* does not extend to the issuance and/or service
2 of subpoenas at government expense.

3 3. Under 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections must pay
4 to the Clerk of the United States District Court, District of Nevada, 20% of the preceding
5 month's deposits to Plaintiff's account (**Anthony Copley, #1047407**), in the months that the
6 account exceeds \$10.00, until the full \$350.00 filing fee has been paid for this action. The
7 Clerk of the Court must **SEND** a copy of this order to the Finance Division of the Clerk's Office.
8 The Clerk of the Court must also **SEND** a copy of this order to the attention of the Chief of
9 Inmate Services for the Nevada Department of Corrections, P.O. Box 7011, Carson City, NV
10 89702.

11 4. The Clerk of the Court must electronically **SERVE** a copy of this order and a
12 copy of Plaintiff's complaint (ECF No. 4) on the Office of the Attorney General of the State of
13 Nevada, attention Kat Howe.

14 5. Subject to the findings of the screening order (ECF No. 3), within **21 days** of the
15 date of entry of this order, the Attorney General's Office must file a notice advising the Court
16 and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the names
17 of the defendants for whom it does not accept service, and (c) the names of the defendants
18 for whom it is filing last-known-address information under seal. As to any of the named
19 defendants for whom the Attorney General's Office cannot accept service, the Office must file,
20 *under seal*, but must not serve the inmate Plaintiff the last known address(es) of those
21 defendant(s) for whom it has such information. If the last known address of the defendant(s)
22 is a post office box, the Attorney General's Office must attempt to obtain and provide the last
23 known physical address(es).

24 6. If service cannot be accepted for any of the named defendant(s), Plaintiff must
25 file a motion identifying the unserved defendant(s), requesting issuance of a summons, and
26 specifying a full name and address for the defendant(s). For the defendant(s) as to whom the
27 Attorney General has not provided last-known-address information, Plaintiff must provide the
28 full name and address for the defendant(s).

